

BARRIERS TO THE PAYMENT OF COURT-ORDERED CHILD SUPPORT

**A Pilot Project to Design a Case-Management Model
To Improve the Regularity of Payment**

EXECUTIVE SUMMARY

Research conducted with:

**Fredericksburg District Office
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RESEARCH OVERVIEW

Goal

To assess the impact of a pilot case-management model and of non-custodial parent (NCP) court-ordered referrals for service on the regularity of payment by non-custodial parents with a history of irregular or non-payment

Time Frame

We assessed the impact of the Barriers Project pilot year from the start-up of referrals in March 2000 through April 1, 2001.

Target Population

The *Target Group* consisted of 113 non-custodial parents (NCPs) who appeared in the Spotsylvania Juvenile & Domestic Relations Court for failure to make court-ordered child support payments and were referred to the Barriers Project. These NCPs can be characterized, generally, as “willing, but unable, to pay” because they faced certain identifiable barriers to regular payment.

The *Control Group* consisted of 29 NCPs brought to court for non-payment in the Westmoreland Juvenile and Domestic Relations Court, who would qualify for the Barriers Project but could not be referred because the Project was not available in that court.

Both family courts are in the Fredericksburg child support “district,” i.e., assigned to the Fredericksburg District Child Support Office for enforcement. The Fredericksburg office has a caseload slightly more than 14,000 cases. Virginia works cases both administratively and judicially, with about 70 percent administrative and 30 percent judicial.

Barriers In the initial phase of the Project, five common barriers facing NCPs in the Target Group were identified through extensive interviews with them and court attorneys, as well as interviews with child support staff and a review of the literature in the field. The barriers are visitation, conflict between parents, vocational issues, size of arrearage relative to income, and institutional status as a DCSE customer.

As a source of conflict between the parents, visitation and restrictions placed on it can contribute to non-payment of support. Conflict between parents is symptomatic of more basic causes such as poor problem-solving skills and a lack of mediation or counseling between parents, e.g., on how to have a functional family relationship *after* separation and divorce. Vocational issues include loss of employment, incarceration, injury or illness that affects regular earnings, and

seasonal employment. The size of the arrearage relative to one's income, especially when combined with periods of unemployment, incarceration, or injury/illness, contributes to non-payment. Finally, whether child support staff understand and treat these "willing, but unable, to pay" NCPs as fundamentally different customers than the "not willing, but able, to pay" NCPs can also contribute to irregular or non-payment.

Community Partners Network The Community Partners Network includes those agencies in the Fredericksburg region that agreed to provide direct services to Barriers clients, upon DCSE referral.

Outcome Measures

For the Target Group, the following quantitative outcomes were measured for the pilot year:

- ◆ Imposition of Sanctions, both administrative and court-imposed
- ◆ Number and Size of Support Payments
- ◆ Number and Size of Payments to Arrears (percentage reduction in arrearage)
- ◆ Size of Monthly Payment and Percentage of Total Debt Reduction
- ◆ Reduction in the Cost of Jail Time for Non-Payment
- ◆ Jail Costs Avoided through the Barriers Project

ANALYSIS AND RECOMMENDATIONS

DID CASE MANAGEMENT IMPACT THE RATE AND SIZE OF SUPPORT PAYMENTS?

Findings:

- 1) Per Table 1, *Comparative Rates of Payment*, support payments for monthly obligations were greater for Barriers clients in all four quarters for which data were tracked.
- 2) Overall rates of payment, determined by the number of months in which a payment was made (regardless of whether it met the monthly obligation) were equal for the Westmoreland group and Barriers clients in the 1st quarter, but significantly larger for the Barriers group in each of the following three quarters. Eighty percent or more of the Project participants made payments each quarter, compared to between 0% and 65% of the Westmoreland control group.
- 3) For Barriers participants, the overall percentage for total obligations and arrears paid was nearly twice that of the control group in Westmoreland: 17% compared to 9%. That 8% difference translates into \$106,966 more in payments by Barriers clients (above what would have been expected without the Barriers Project).

- 4) Comparing the performance of Barriers NCPs six months prior to their Show Cause order (to appear in court) and after participating in the Project,
 - ◆ The 12% able to meet their monthly obligation for a full quarter in the prior six-month period increased from 36% in the first quarter of Barriers participation to 65% in the fourth quarter.
 - ◆ Prior to case management, Barriers' clients overall rate of payment was 6% of monthly obligation plus arrears. This rate tripled to 17% while in the Project.

Recommendations:

- The case-management component of the Project has clearly yielded results. It should be enhanced through additional staffing and administrative support. *(To increase the level of follow-up and monitoring after initial contact, OCSE funding will provide support for an additional 17 months and include technical assistance for current and additional staff.)*
- Appropriate caseload size needs to be defined for case managers, using similar Social Service positions (e.g., CPS, foster care) as guidelines.

DID CASE MANAGEMENT IMPACT THE RATE AND SIZE OF PAYMENTS TOWARD ARREARS?

Findings:

- 1) Payments to reduce arrears were significantly greater in each quarter for Barriers Project clients (see Table 1). Quarterly rates of payment toward arrears, determined by the number of months in which clients paid more than their monthly Current Support obligation, were a minimum of 13% and an average of 28% higher.
- 2) Barriers participants' rate of Total Payments (Current Support plus Arrears) was nearly twice the rate of the control group (17% vs. 9%).
- 3) These improvements can be attributed largely to the case-management component of the project.

DID CASE MANAGEMENT REDUCE TIME IN COURT OR THE NUMBER OF DAYS IN JAIL FOR NON-PAYMENT?

Findings:

- 1) Of the 1536 days served for non-support in Spotsylvania County in FY 2001 at the Rappahannock Regional Jail, Barriers clients served 91 days (6%).

- 2) The 91 days stand in stark contrast to the 9,750 days sentenced for Barriers clients. In addition, all of the remaining time was suspended, and none invoked, as a result of improved payments.

Recommendation:

- Reliable data on total court costs (for the various types of support hearings) need to be developed in order to understand the overall cost of the Child Support Enforcement system. These costs are currently unaccounted for and, as such, reduce the real cost-effectiveness of these enforcement efforts.

WHAT WAS THE OVERALL FISCAL IMPACT OF THE BARRIERS PROJECT DURING ITS START-UP YEAR?

Findings:

- 1) The net fiscal gain (i.e., cost avoidance) from the Project can be estimated at a minimum of \$149,000 and a maximum of \$532,000, depending on the amount of jail time avoided (see Table 2).
- 2) Had Barriers clients served their full sentences, the savings would have been \$532,000. Most child support clients, however, do not serve full sentences. Table 2 estimates differing levels of savings.

Recommendation:

- Expand the number of case managers and Barriers staff to increase the impact of the Project on a larger number of child support clients. As demonstrated in Table 2, expansion will result in increased net community savings, through cost avoidance.

WHAT PROJECT COMPONENTS CAN BE REPLICATED IN OTHER COMMUNITIES?

Recommendations:

- The critical issue, here, is how a child support office defines its mission. Assuming that a community wishes to define child support enforcement as more than punishment and incarceration, all components of the Barriers Project can be replicated, with the necessary funding (including, at minimum, one full-time case manager), dedicated time to establish and develop a Community Partners Network, and technical assistance on best practices.
- The second phase of this OCSE-supported initiative in the Fredericksburg district office will include a profile of the desired/ideal case-management structure: maximum caseload, staffing requirements, policies and procedures, and integration with existing enforcement activities in the office if things are to run smoothly. This profile, then, can serve as a manual for replication and adaptation of the Barriers model.

TABLE 1

COMPARATIVE RATES OF PAYMENT

WESTMORELAND CONTROL GROUP VS. BARRIERS PROJECT CLIENTS

May 1, 2000 – March 31, 2001

	1st Quarter ¹ Westmoreland vs. Barriers		2nd Quarter Westmoreland vs. Barriers		3rd Quarter Westmoreland vs. Barriers		4th Quarter Westmoreland vs. Barriers	
	West.	Barriers	West.	Barriers	West.	Barriers	West.	Barriers
NCPs Paying Monthly Obligations ²	34% 10/29	36% 38/106	25% 5/20	42% 41/98	33% 4/12	43% 29/63	0% 0/3	65% 13/20
NCPs Paying Down Arrears ³	21% 6/29	34% 38/113	25% 5/20	46% 43/94	17% 2/12	48% 29/60	0% 0/3	47% 7/15
NCPs Making Payments ⁴	83% 24/29	83% 94/113	65% 13/20	81% 79/98	67% 8/12	80% 56/70	0% 0/3	80% 28/35

	WESTMORELAND	BARRIERS
Total Monthly Obligations	\$ 48,253	\$ 261,277
Total Arrears Owed	\$314,351	\$1,018,395
Combined Total Owed	\$362,604	\$1,279,672
Combined Total Paid	\$ 31,916	\$ 222,136
Percent Paid of Combined Total Owed	9%	17%

¹ "Quarter" = the first 3 months after an obligation has been established; time frame varies by NCP

² Current Support only

³ Paid over and above Current Support

⁴ Payment of some amount, not necessarily equal to the obligation

TABLE 2

NET FISCAL IMPACT OF BARRIERS PILOT PROJECT
Start-Up Year: March 1, 2000 – April 1, 2001

Payments During Study Period	\$222,136	\$222,136	\$222,136	\$222,136
Savings in Jail Cost at 100% of Sentences Served (\$39.27/day)		\$382,883		
Savings in Jail Cost at 50% of Sentences Served (\$39.27/day)			\$191,441	
Savings in Jail Cost at 25% of Sentences Served (\$39.27/day)				\$ 95,721
Total Payments plus Savings	\$222,136	\$605,019	\$413,577	\$317,857
(Less: Estimated Operating Costs)	(\$69,457)	(\$69,457)	(\$69,457)	(\$69,457)
(Less: Actual jail cost)	(\$3,574)	(\$3,574)	(\$3,574)	(\$3,574)
Net Fiscal Impact	\$149,105	\$531,988	\$340,546	\$244,826